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Gregory H. Zayia – Reg. No. 48,059

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Gregory Zayia

Signature

March 7, 2005

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Our Case No. 9793/73

RDGmbH Ref. 18931-US/IR (5181/0Q/US)

RDC Ref. BMID 9903 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Johann Karl et al.

Serial No. 09/890,442

Filing Date: January 31, 2002

For: Assay for the Detection of N-
Terminal proBNP

Examiner James Leslie Grun, Ph.D.

Group Art Unit No. 1641

AFTER FINAL AMENDMENT UNDER 37 CFR § 1.116 FILED WITH APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In order to simplify issues for appeal of the final rejection issued against the above-identified patent application, Applicants respectfully request entry of the following amendments and remarks, which are being filed concomitantly with their Appeal Brief.

Amendments to the Claims are reflected in the listing of claims that begins on page 3 of this communication.

Remarks begin on page 16 of this communication.